

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DON MITCHELL,
Plaintiff

v.

**READY WILLING & ABLE OR THE
DOE FUND,**
Defendant

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CIVIL ACTION NO. 18-CV-3678

ORDER

AND NOW, this 24th day of September, 2018, upon consideration of Plaintiff Don Mitchell's *pro se* Amended Complaint (ECF No. 7), it is hereby **ORDERED** that:

1. For the reasons set forth in the accompanying Memorandum, the Amended Complaint is **DISMISSED, without prejudice**, for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and Rule 8(a) of the Federal Rules of Civil Procedure.

2. Mitchell is given leave to file a second amended complaint within thirty (30) days of the date of this Order in the event that he can state plausible claims that cure the defects noted in the Court's Memorandum. Any second amended complaint shall be a complete document that identifies all of the defendants in the caption in addition to the body, and shall describe in detail the basis for Mitchell's claims against each defendant. Specifically, the second amended complaint shall describe in detail the basis for Mitchell's claims of employment discrimination and harassment, and shall address the timeliness of those claims. The second amended complaint shall not rely on or refer to previous pleadings or exhibits filed in this matter. Upon the filing of a second amended complaint, the Clerk of Court shall not make service until so **ORDERED** by the Court.

3. The Clerk of Court is **DIRECTED** to provide Mitchell with a blank copy of this Court's current form complaint for a plaintiff filing an employment discrimination lawsuit bearing the civil action number for this case. Mitchell may use this form to file his second amended complaint.

4. If Mitchell fails to file a second amended complaint, his case may be dismissed for failure to prosecute without further notice.

BY THE COURT:

/s/Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO, J.

United States District Court, Judge